

Applicant respectfully submits that the Restriction Requirement should be withdrawn. Applicant respectfully submits that rejoinder is proper because the process claim 11 is commensurate in scope with the product claim 1, or is intended to be commensurate in scope with the product claim 1.

For example, the phrase “strains generated in the surface of the second semiconductor layer” (claim 1, lines 18-19) corresponds to the phrase “strains generated in the surface of the second semiconductor layer (claim 11, line 8).

Accordingly, in view of In re Ochiai and In re Brouwer, Applicant respectfully submits that the restriction requirement should be withdrawn, and Applicant respectfully submits that all pending claims 1, 3, 4, and 8-16 should be considered by the Examiner at this time.

In the event that this paper is not timely filed, Applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

US Patent Appln Serial No.: 10/781,684

In the event any additional fees are required in connection with this response, please charge  
our Deposit Account No. 01-2340.

Respectfully submitted,  
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